

**Amendments to the Claims:**

The proposed listing of claims will replace all prior versions, and listings of claims in the application:

1. **(Previously Withdrawn)** Digital image recording process in which a color toner image made of toner layers having different colors is transferred onto an image receiving substrate and then fused and fixed onto the image receiving substrate by impingement with electromagnetic radiation, characterized in that, in order to produce the color black at least one toner layer is used that has similar absorption properties, at least for one wavelength within a predetermined wavelength range for the electromagnetic radiation, as the other toner layers that are used.

2. **(Previously Withdrawn)** Process according to claim 1, characterized in that, the predetermined wavelength range is the range from 0.8  $\mu\text{m}$  to 10  $\mu\text{m}$ .

3. **(Previously Withdrawn)** Process according to claim 1, characterized in that, the predetermined wavelength range is selected such that the energy of the electromagnetic radiation is predominately absorbed by the image receiving substrate and not by the toner layers.

4. **(Previously Withdrawn)** Process according to claim 1, characterized in that, the predetermined wavelength range is the range from 0.8  $\mu\text{m}$  to 3  $\mu\text{m}$ .

5. **(Previously Withdrawn)** Process according to claim 1, characterized in that, the color black is produced by a combination of different colored toner layers.

6. **(Previously Withdrawn)** Process according to claim 1, characterized in that, the color black is formed or formed together with at least one toner layer that contains a combination of different colored color pigment particles.

7. **(Previously Withdrawn)** Process according to claim 1, characterized in that, the color black is formed or formed together with at least one toner layer that is not pigmented with carbon black.

8. **(Previously Withdrawn)** Process according to claim 1, characterized in that, the color black is formed or formed together with at least one toner layer that contains a black pigment.

9. **(Previously Withdrawn)** Process according to claim 1, characterized in that, the color black is formed or formed together with at least one toner layer that has a carbon black portion of less than 2%.

10. **(Previously Withdrawn)** Process according to claim 1, characterized in that, the color black is formed or formed together with at least one toner layer that contains neutral gray pigments free of carbon black.

11. **(Previously Withdrawn)** Device for performing the process of claim 1.

12. **(Currently Amended)** Toners, for a color printer and/or copier device, ~~whereby the~~ where a toner layer, having different color pigmented particles, ~~in a toner layer~~, is suitable to produce the color or black and is provided for the purpose of being uniformly fused by electromagnetic radiation, and fixed onto an image receiving substrate, characterized in that, the ~~toner~~ toners in a toner layer ~~has~~ have absorption properties, during irradiation with electromagnetic radiation with a predetermined wavelength in the IR range below approximately 5  $\mu\text{m}$ , so as to absorb less than 10% of the energy ~~as other toners in the toner layer that are provided to produce colors other than~~ or black.

13. **(Previously Cancelled)** Toner according to claim 12, characterized in that, the predetermined wavelength range is the range from 0.8  $\mu\text{m}$  to 10  $\mu\text{m}$ .

14. **(Previously Amended)** Toner according to claim 12, characterized in that, the predetermined wavelength is the range from 0.8  $\mu\text{m}$  to 3  $\mu\text{m}$ .

15. **(Previously Cancelled)** Toner according to claim 13, characterized in that, when it is irradiated with electromagnetic radiation with wavelengths in the IR range below approximately 5  $\mu\text{m}$ , it absorbs less than 10% of the energy.

16. **(Previously Cancelled)** Toner according to claim 13, characterized in that, the toner contains a combination of different colored particles

17. **(Previously Amended)** Toner according to claim 12, characterized in that, the toner layer contains a combination of different colored particles that are provided to produce the colors cyan, magenta, and yellow.

18. **(Previously Amended)** Toner according to claim 12, characterized in that, the toner layer is not pigmented with carbon black.

19. **(Currently Amended)** Toner according to claim 12, characterized in that, the toner layer contains a portion of carbon black of less than 2% ~~(by weight)~~.

20. **(Previously Amended)** Toner according to claim 12, characterized in that, the toner layer contains neutral gray pigments.

21. **(Previously Cancelled)** Toner according to claim 13, characterized in that, it is formed by several toner layers with different colors after it is transferred onto the image receiving substrate.

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22. **(Previously Cancelled)** Toner according to claim 13, characterized in that, the toner layers with different colors contain the colors cyan, magenta, and yellow.